

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 24-45317

ANTHONY GEORGE CASEY,

Chapter 13

Debtor.

Judge Thomas J. Tucker

ORDER DISMISSING CASE

On May 29, 2024, the Debtor filed a voluntary petition for relief under Chapter 13, commencing this case. But the Debtor is not eligible to be a debtor in this case, under 11 U.S.C. § 109(g)(2), which provides:

(g) Notwithstanding any other provision of this section, no individual or family farmer may be a debtor under this title who has been a debtor in a case pending under this title at any time in the preceding 180 days if—

...

(2) the debtor requested and obtained the voluntary dismissal of the case following the filing of a request for relief from the automatic stay provided by section 362 of this title.

11 U.S.C. § 109(g)(2).

The Debtor was a debtor in a case pending within 180 days before filing this case: Case No. 24-41570, a Chapter 13 case which was voluntarily dismissed on motion of the Debtor on April 26, 2024. In that prior case, the creditor ACAR Leasing, LTD d/b/a GM Financial Leasing filed a motion for relief from the automatic stay on April 16, 2024, only three days before the Debtor moved for a voluntary dismissal of the case on April 19, 2024. (The case was dismissed by an order entered on April 26, 2024).

Under § 109(g)(2), the Debtor is not eligible to be a debtor in any bankruptcy case until

October 24, 2024, which is 181 days after the dismissal of Case No. 24-41570.

Accordingly,

IT IS ORDERED that this bankruptcy case is dismissed.

Signed on May 30, 2024



/s/ Thomas J. Tucker

Thomas J. Tucker
United States Bankruptcy Judge